

REMARKS

In the Office Action dated November 13, 2008, claims 1 and 2 are rejected under 35 U.S.C. § 103 as being unpatentable over Wright in view of Levin et al. Claim 4 is rejected under 35 U.S.C. § 103 as being unpatentable over Wright in view of Levin et al. in further view of Corday et al, or Hall et al. or Smits. With this Amendment, claims 1, 2 and 4 are amended. After entry of this Amendment, claims 1, 2 and 4 are pending in the Application.

The Examiner objects to the claim language in claims 1, 2 and 4. To overcome the objection, the claims have been amended to recite “wherein” rather than “characterized in that.” Furthermore, claim 1 has been amended to recite “two expandable balloons expanding” to correct the grammatical error.

Claims 1 and 2 are rejected under 35 U.S.C. § 103 as being unpatentable over Wright in view of Levin et al. Claim 1 has been amended to recite that the balloon catheter is combined with the guide wire before insertion and then inserted into a coronary vein in reverse of the blood flow and adjusted so that a blood vessel area surrounding the lesion is placed between the two balloons. Support for this amendment can be found in the specification, for example, in paragraph [0043].

Neither Wright nor Levin teaches, suggests or renders obvious inserting a balloon catheter with the guide wire in a coronary vein in reverse of the blood flow and then adjusted to surround the lesion between the two balloons.

Furthermore, claim 1 has been amended to recite that the guide lumen has one or more bypass holes in a position closer to a tail end than the two balloons. Support for this amendment can be found in the specification, for example, in paragraph [0034].

Neither Wright nor Levin teaches, suggests or renders obvious a guide lumen having one or more bypass holes in a position closer to a tail end than the two balloons, allowing blood flow in the vessel even if the vessel is locally occluded by the two balloons.

For at least these reasons, Wright in view of Levin do not teach, suggest or render obvious the device recited in claim 1. Applicant respectfully submits that claim 1 is in condition for allowance, notice of which is requested.

Claim 2 depends directly from claim 1 to include all of the limitations therein.

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For at least this reason, claim 2 is not taught, suggested or rendered obvious by Wright in view of Levin. Applicant respectfully submits that claim 2 is in condition for allowance, notice of which is requested.

Claim 4 is rejected under 35 U.S.C. § 103 as being unpatentable over Wright in view of Levin et al. in further view of Corday et al, or Hall et al. or Smits. Claim 4 depends from claim 1 to include all of the limitations therein. Corday et al, Hall et al and Smits all fail to teach, suggest or render obvious, alone or in combination, the elements of claim 1 added by this amendment. Due to its dependency, claim 4 is also not taught, suggested or rendered obvious by the combinations presented by the Examiner. For this reason at least, Applicant submits that claim 4 is in condition for allowance, notice of which is requested.

It is further submitted that this Amendment has antecedent basis in the application as originally filed, including the specification, claims and drawings, and that this Amendment does not add any new subject matter to the application. Reconsideration of the application as amended is requested. It is respectfully submitted that this Amendment places the application in suitable condition for allowance; notice of which is requested.

If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,



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